

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STANLEY G. DENHOF,

Petitioner,

Case No. 1:14-CV-14

v.

HON. ROBERT HOLMES BELL
SHERRY BURT,

Respondent.

/

MEMORANDUM OPINION AND ORDER

This § 2254 habeas corpus proceeding is before the Court on Petitioner's motion for reconsideration of this Court's September 2, 2014, ruling on Petitioner's motion for leave to appeal in forma pauperis and to expand the record. (ECF No. 27.)

A party who moves for reconsideration must demonstrate "a palpable defect by which the Court and the parties have been misled," and that "a different disposition of the case must result from a correction thereof." W.D. Mich. LCivR 7.4(a). Petitioner has not met this burden. Petitioner has not shown that the Court erred in denying him a certificate of appealability, nor has he shown that the Court had jurisdiction to consider his motion to expand the record while his case was on appeal. The Court notes that it denied Petitioner's motion to expand solely because Petitioner had an appeal pending. Now that Petitioner's appeal has been dismissed (ECF No. 30), Petitioner is not precluded from re-filing his motion to expand the record. Accordingly,

IT IS HEREBY ORDERED that Petitioner's motion for reconsideration (ECF No. 27) is **DENIED**.

Date: February 10, 2015

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE